

WSGL WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP

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DATE: September 19, 2005

TO: Examiner Jeffrey A. Smith
 TC Art Unit: 3625

Fax No.: (571) 273 8300

FROM: Thomas O. Hoover

No. of pages transmitted
 (including this page): 2

Our File: BTH-001AX

Time:

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Sent by: Tanya

Application No. 09/307,195

Filed Date: May 7, 1999

Confirmation No.: 4520

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 MESSAGE

PLEASE DELIVER DIRECTLY TO:
 EXAMINER Jeffrey A. Smith, Tel. 703-308-3588
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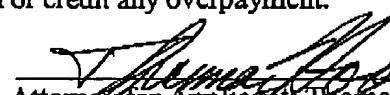
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SEP 20 2005

FOR ENTRY

Enclosed for filing please find a Notice of Appeal.

The Commissioner is hereby authorized to Charge Deposit Account No. 23-0804 for any additional filing fees associated with this communication or credit any overpayment.


 Attorney for Applicant: Thomas O. Hoover
 Registration No. 32,470

326748-1

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Rev 09/03

SEP 19 2005

Application: 09/307,195
Filed: 05/07/1999
TC Art Unit: 3625
Confirmation No.: 4520

WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP
Ten Post Office Square
Boston, Massachusetts 02109
Telephone: (617) 542-2290
Telecopier: (617) 451-0313

Date: September 19, 2005

Attorney
Docket No.: BIH-001AX

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of: William Cohn

Entitled: SURGICAL RETRACTOR

VIA FACSIMILE

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated March 24, 2005 of the Examiner finally rejecting claims 1-14, 16, 17, 25-36 and 41-50.

The Commissioner is authorized to charge payment of \$500.00 to Deposit Account No. 23-0804 for the cost of the Notice of Appeal.

The following checked items are appropriate:

A timely response to the final rejection:

[] has been filed [] is hereby filed

An extension of time to respond to the final rejection:

1. [] was requested on _____ for ____ month(s);

2. [X] is hereby requested for 3 month(s) and the Commissioner is authorized to charge payment of \$1,020.00 to Deposit Account No. 23-0804.

3. [] is included on the enclosed amendment transmittal form along with a check in the amount of \$ _____ for the extension fee.

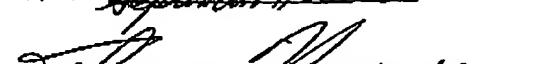
[] In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.

[X] The Commissioner is hereby authorized to charge payment of any additional filing fees under \$1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner Jeffrey A. Smith, TC Art Unit 3625, Fax No. (571) 273 8300, on September 19, 2005.

09/20/2005 MAHMEDI 00000113 230804 09307195

01 FC:1401 500.00 DA
02 FC:1257 1020.00 DA


Attorney of Record: Thomas O. Hoover
Registration No.: 32,470